

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

Claim 1 (Currently Amended): A surgical instrument comprising:

a body portion;

a tool member supported on the distal end of the body portion; and

an elongated cover supported [[on]] about the body portion of the instrument, the elongated cover being formed from a collapsible material and having a substantially tubular configuration having open proximal and distal ends, the elongated cover being movable about the body portion of the instrument from a first position located proximally of the tool assembly to a second position at least partially encompassing the tool assembly, wherein when the elongated cover is in the first position the distal end of the elongated cover is secured to the instrument adjacent to the tool assembly such that the elongated cover can be inverted about the tool assembly as the elongated cover is moved from the first position to the second position [[in a first position wherein the tool member is uncovered, the cover being movable from the first position to a second position at least partially encompassing the tool member]].

Claim 2 (Original): A surgical instrument according to Claim 1, wherein the cover is liquid impermeable.

Claim 3 (Previously amended): A surgical instrument according to Claim 2, wherein a portion of the cover is fastened to the instrument.

Claim 4 (Cancelled).

Claim 5 (Currently amended): A surgical instrument according to Claim [[4]]1, further including a cover deployment device operably associated with the cover, the cover deployment device being movable to move the cover from the first position to the second position.

Claim 6 (Original): A surgical instrument according to Claim 5, wherein the cover deployment device includes a sleeve slidably positioned about the body portion between a retracted and an advanced position, the sleeve being slidable from the retracted position to the advanced position to move the cover from the first position to the second position.

Claim 7 (Currently amended): A surgical instrument according to Claim 6, wherein the sleeve includes first and second half-sections, the first and second half-sections being [[normally held in]] urged into abutment with one another by at least one expandable member, the expandable member being expandable to permit the first and second half-sections to move outwardly with respect to each other.

Claim 8 (Original): A surgical instrument according to Claim 7, wherein the expandable member is a resilient O-ring.

Claim 9 (Previously amended): A surgical instrument according to Claim 7, wherein the sleeve includes a proximally located annular ring dimensioned to facilitate movement of the sleeve between the retracted and advanced positions.

Claim 10 (Currently amended): A surgical instrument according to Claim [[9]]7, wherein the first sleeve half-section includes at least one projection and the second sleeve half-section includes at least one slot, the at least one projection being slidable into the at least one slot to maintain alignment between the first and second half-sections when the half-sections move outwardly with respect to each other.

Claim 11 (Currently amended): A surgical instrument according to Claim [[10]]6, wherein the cover [[includes a proximal end and a distal end and]] defines a lumen[[, the distal end of the cover being fastened to the surgical instrument on or adjacent the tool member such that]] and the cover [[lumen]] is positioned about the body portion and the cover deployment device, wherein movement of the cover deployment device from the retracted position to the advanced position inverts the cover over the tool member.

Claim 12 (Previously amended): A surgical instrument according to Claim 11, wherein the cover deployment device includes a distal engagement member, a proximal guide portion and a central body portion interconnecting the engagement member and the guide portion, the cover deployment device being slidably supported on the body portion to enable the cover deployment device to be moved to move the cover to the second position.

Claim 13 (Currently amended): A surgical instrument according to Claim [[12]]1, wherein the cover [[includes a tubular member defining]] defines a lumen, [[one end of the cover being fastened to the instrument,]] the [[other]] proximal end of the cover being movable over the tool member to at least partially encompass the tool assembly.

Claim 14 (Currently amended): A surgical instrument according to Claim 13, further including a closure device for closing the [[other]] proximal end of the cover after it has moved over the tool member.

Claim 15 (Original): A surgical instrument according to Claim 14, wherein the closure device includes an elastic band supported by the cover.

Claim 16 (Original): A surgical instrument according to Claim 14, wherein the closure device includes a drawstring.

Claim 17 (Previously amended): A surgical instrument according to Claim 16, wherein the distal end of the cover is removably fastened to the surgical instrument.

Claim 18 (Previously amended): A surgical instrument according to Claim 17, wherein the surgical instrument is a circular stapler.

Claim 19 (Previously amended): A surgical instrument according to Claim 17, wherein the surgical instrument is an ultrasonic dissector.

Claim 20 (Previously amended): A surgical instrument according to Claim 17, wherein surgical instrument is a linear stapler.

Claim 21 (Currently amended): A method of performing a surgical procedure comprising the following steps:

providing a surgical instrument including a body portion, a tool member and a cover, a distal end of the cover being [[supported on]] being secured about the instrument adjacent the tool assembly [[and]] such that the cover is movable from a first position wherein the tool assembly is uncovered to a second position wherein the tool member is at least partially covered;

positioning the surgical instrument adjacent a surgical site and performing a surgical operation on desired tissue;

moving the cover from the first position to the second position by inverting the cover at least partially over the tool assembly; and

subsequently removing the surgical instrument from the surgical site.

Claim 22 (Currently amended): A method according to Claim 21, wherein the surgical instrument is [[an]] a circular stapler.

Claim 23 (Currently amended): A method according to Claim ~~[[15]]~~21, wherein the

surgical instrument is a linear stapler.

Claim 24 (Currently amended): A method according to Claim ~~[[15]]~~21, wherein the surgical instrument is an ultrasonic dissector.

Claim 25 (Original): A method according to Claim 21, wherein the surgical instrument includes a closure device, and further including the step of actuating the closure device to close the cover at a location distally of the tool member.

Claim 26 (Original): A method according to Claim 25, wherein the closure device is a drawstring.

Claim 27 (New): A surgical instrument comprising:

an elongated body portion;

a tool assembly supported on a distal end of the elongated body portion, the tool assembly including an anvil assembly and a shell assembly, the shell assembly having a plurality of surgical staples;

an elongated cover having a distal end fastened about the elongated body portion at a location adjacent a proximal end of the tool assembly.

Claim 28 (New): A surgical instrument according to Claim 27, further including a cover deployment device movably positioned about the elongated body portion, the cover deployment device extending along a portion of the length of the elongated body portion between the elongated body portion and the elongated cover.

Claim 29 (New): A surgical instrument according to Claim 28, wherein a diameter of the cover is substantially the same as the diameter of the cover deployment device.

Claim 30 (New): A surgical instrument for insertion into a body lumen comprising:

an elongated body portion having a first diameter and an outer surface;

a stationary shell assembly supported on a distal end of the elongated body portion, , the shell assembly having a plurality of surgical staples;

an cover fitted about the elongated body portion, the elongated cover movable from a first proximal position to a second position to cover the stationary shell assembly;

and a cover deployment member positioned about the elongated body portion and slidable in a distal direction to move the cover to the second position .